

PUBLIC PROTECTION CABINET
Department of Insurance
(As Amended at ARRS, September 14, 2021)

806 KAR 4:010. Fees of the Department [Office] of Insurance.

RELATES TO: KRS 18A.225, 61.874, 304.2-110, 304.2-150, 304.3-150, 304.4-010, 304.9-053, 304.9-105, 304.9-130, 304.9-140, 304.9-150, 304.9-160, 304.9-200, 304.9-260, 304.9-270, 304.9-280, 304.9-295, 304.9-300, 304.9-320, 304.9-430, 304.9-432~~[304.9-485]~~, 304.9-505, 304.9-780, 304.10-120, 304.11-020, 304.15-700, 304.15-720, 304.17A-300, 304.19-080, 304.29-231, 304.32-120, 304.32-270, 304.38-040, 304.38-060, 304.38-200, 304.38A-070, 304.45-140, 304.49-150

STATUTORY AUTHORITY: KRS 61.874(4), 304.2-110(1), 304.4-010(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 304.2-110(1) authorizes the Commissioner [Executive Director] of Insurance to promulgate reasonable administrative regulations necessary for or as an aid to the effectuation of any provision of the Kentucky Insurance Code as defined in KRS 304.1-010. KRS 304.4-010(1) requires the Commissioner [Executive Director] of Insurance to prescribe those services for which fees shall be charged and the amounts of the fees. KRS 61.874(4) authorizes an agency to charge fees based on costs for public records used for commercial purposes. This administrative regulation ~~establishes/shall prescribe~~ [prescribes] [these] services for which the Department [Office] of Insurance ~~shall [will]~~ charge fees and the amounts of those fees.

Section 1. The commissioner shall collect ~~[in advance]~~ fees as follows:

- (1) Annual statement.
 - (a) Filing each year, \$100.
 - (b) Filing additional or supplemental statement in the same year, \$100.
- (2) Filing charter documents.
 - (a) Original charter document, bylaws, and records of organization, or certified copies thereof required to be filed, \$100.
 - (b) Amended charter documents, bylaws, and records of organization, or certified copies thereof required to be filed, fifty (50) dollars.
- (3) Certificate of authority.
 - (a) Issuance of original certificate, \$500.
 - (b) Amending, to add a line, fifty (50) dollars.
 - (c) Renewal, each year, \$100.
- (4) Organization of domestic mutual insurers: filing application for solicitation permit and issuance of ~~[such]~~ permit, \$200.
- (5) Self insurer.
 - (a) Application to become self insurer under KRS Chapter 304 Subtitle 39, \$200.
 - (b) Notification of self-insurance program under KRS Chapter 304 Subtitle 32, fifty (50) dollars.
- (6) Agent license, line of authority, license renewal, appointment, appointment renewal, and late renewal penalty. Each individual agent and each business entity agent.
 - (a) License and line of authority:
 1. Resident individual license, forty (40) dollars and an additional forty (40) dollars for each line of authority;
 2. Nonresident individual license, fifty (50) dollars and an additional fifty (50) dollars for each line of authority;

3. Resident business entity license, \$100 and an additional \$100 for each line of authority; and

4. Nonresident business entity license, \$120 and an additional \$120 for each line of authority.

(b) Temporary license as agent, twenty (20) dollars.

(c) License renewal, biennial:

1. Resident individual license renewal:

a. [(a)] If no active appointment, forty (40) dollars; and

b. [(b)] If one (1) or more active appointments, zero dollars;

2. Nonresident individual license renewal:

a. [(a)] If no active appointment, fifty (50) dollars; and

b. [(b)] If one (1) or more active appointments, zero dollars;

3. Resident business entity license renewal:

a. If no active appointment, \$100; and

b. If one (1) or more active appointments, zero dollars; and

4. Nonresident business entity license renewal:

a. If no active appointment, \$120; and

b. If one (1) or more active appointments, zero dollars.

(d) Appointment, per foreign or alien insurer represented:

1. Resident individual appointment, for each form filed:

a. Property, casualty, and personal lines of authority of agent, forty (40) dollars;

b. Life, health, and variable life and variable annuity lines of authority, forty (40) dollars; and

c. All other lines of authority of agent, forty (40) dollars each;

2. Nonresident individual appointment, for each form filed:

a. Property, casualty, and personal lines of authority of agent, fifty (50) dollars;

b. Life, health, and variable life and variable annuity lines of authority, fifty (50) dollars; and

c. All other lines of authority of agent, fifty (50) dollars each;

3. Resident business entity appointment, for each form filed:

a. Property, casualty, and personal lines of authority of agent, \$100;

b. Life, health, and variable life and variable annuity lines of authority, \$100; and

c. All other lines of authority of agent, \$100 each; and

4. Nonresident business entity appointment, for each form filed:

a. Property, casualty, and personal lines of authority of agent, \$120;

b. Life, health, and variable life and variable annuity lines of authority, \$120; and

c. All other lines of authority of agent, \$120 each.

(e) Appointment renewal, biennial, per foreign or alien insurer:

1. Resident individual appointment renewal, forty (40) dollars;

2. Nonresident individual appointment renewal, fifty (50) dollars;

3. Resident business entity appointment renewal, \$100; and

4. Nonresident business entity appointment renewal, \$120.

(f) Appointment and biennial appointment renewal, per fraternal benefit society, KRS Chapter 304 Subtitle 32 corporation, health maintenance organization, or limited health service organization represented:

1. Resident individual, forty (40) dollars;

2. Nonresident individual, fifty (50) dollars;

3. Resident business entity, \$100; and

4. Nonresident business entity, \$120.

(g) Late penalty for license renewal and appointment renewal:

1. Resident individual, forty (40) dollars;

2. Nonresident individual, fifty (50) dollars;
3. Resident business entity, \$100; and
4. Nonresident business entity, \$120.

(7) (a) Pharmacy benefit manager license, or annual license renewal, \$1,000; and (b) Late renewal penalty \$500.

(8) Portable Electronics Insurance Retailer License:

(a) One (1) to twenty (20) locations in Kentucky, \$100 per location; and

(b) Twenty-one (21) or more locations in Kentucky, \$2,500 dollars total.

(9) Surplus lines broker, consultant, reinsurance intermediary, or managing general agent license, biennial license renewal, or late renewal penalty, \$100 each.

(10) (a) Adjuster license, biennial license renewal, or late renewal penalty, fifty (50) dollars each.

(b) Temporary license as apprentice adjuster, twenty-five (25) dollars.

(11) Administrator's license, biennial license renewal, or late renewal penalty, fifty (50) dollars each.

(12) (a) Individual life settlement broker license, biennial license renewal, or late renewal penalty, \$250 each.

(b) Business entity life settlement broker license, biennial license renewal, or late renewal penalty, \$750 each.

(13) (a) Individual life settlement provider license, biennial license renewal, or late renewal penalty, \$500 each.

(b) Business entity life settlement provider license, biennial license renewal, or late renewal penalty, \$1,500 each.

(14) Approval of prelicensing training course, fifty (50) dollars; biennial renewal, fifty (50) dollars.

(15) Approval of instructors, five (5) dollars per instructor; biennial renewal, five (5) dollars per instructor.

(16) Filing agent continuing education course for:

(a) Approval, five (5) dollars per hour of continuing education credit in addition to initial fee of ten (10) dollars remitted with filing; and

(b) Biennial renewal, five (5) dollars per hour of continuing education credit; minimum of ten (10) dollars.

(17) Examination for agents, life settlement brokers, adjusters, and consultants, fifty (50) dollars for each examination.

(18) Annual registration fee of unauthorized insurer under KRS 304.11-020(2), \$500.

(19) (a) Rental vehicle insurance license, biennial license renewal, and late license renewal penalty:

1. Rental vehicle agent, \$100 each; and

2. Rental vehicle managing employee, individual, forty (40) dollars each.

(b) Rental vehicle agent and managing employee appointment, biennial appointment renewal, and late appointment renewal penalty, per insurer represented:

1. Resident individual, forty (40) dollars each;

2. Nonresident individual, fifty (50) dollars each;

3. Resident business entity, \$100 each; and

4. Nonresident business entity, \$120 each.

(c) Rental vehicle location registration or biennial location registration renewal, fifty (50) dollars per location.

(18) (a) Specialty credit insurance license, biennial license renewal, and late license renewal penalty:

1. ~~Specialty credit producer, \$750; and~~

2. ~~Specialty credit managing employee, forty (40) dollars each.~~

(b) ~~Specialty credit producer and managing employee appointment, biennial appointment renewal, and late appointment renewal penalty, per insurer represented:~~

1. ~~Resident individual, forty (40) dollars each;~~

2. ~~Nonresident individual, fifty (50) dollars each;~~

3. ~~Resident business entity, \$100 each; and~~

4. ~~Nonresident business entity, \$120 each.~~

(c) ~~Specialty credit location registration or biennial location registration renewal, \$250 per location.]~~

(20)[(19)] Registration fee of industrial insureds, government entity insureds, and exempt commercial policyholders under KRS Chapter 304 Subtitle 11, \$100.

(21)[(20)] Advisory organizations, statistical agents, and form providers.

(a) Application for license, \$500.

(b) Annual renewal, \$100.

(22)[(21)] Rate and form filings.

(a) Rate level revision filing in a noncompetitive market or other rate level revision filings subject to prior approval by the commissioner ~~[executive director]~~, \$100.

(b) Credit life or health insurance filing requiring review for compliance with KRS 304.19-080, \$100.

(c) Other rate and form filings, five (5) dollars per rate and form.

(23)[(22)] Insurance premium finance companies.

(a) Application for license, \$500.

(b) Annual renewal, \$100.

(24)[(23)] Cost of administering KRS Chapter 304 Subtitle 32 per membership contract in force on December 31 of each year, except the health insurance contract or contracts for state employees as authorized by KRS 18A.225, ten (10) cents.

(25)[(24)] Computer printouts of lists, computer printouts of mailing labels, and electronic or digital media:

(a) Agents with lines of authority for:

1. Property, casualty, and personal lines, for computer print-outs of lists or mailing labels, \$300, for electronic or digital media, \$265;

2. Life, health, and variable life and variable annuity for computer print-outs of lists or mailing labels, \$300, for electronic or digital media, \$265;

3. All other lines, \$100;

4. Listing for each ZIP code, fifty (50) dollars; and

5. Appointments (activity) of a specific agent, five (5) dollars.

(b) Adjusters, consultants, managing general agents, surplus lines brokers, reinsurance intermediaries, rental vehicle agents and managing employees, ~~[specialty credit producers and managing employees,]~~ life[~~viatical~~] settlement brokers, life[~~viatical~~] settlement providers, and administrators, ninety (90) dollars per license classification.

(c) Insurer directories:

1. All authorized insurers, ninety (90) dollars;

2. Insurers by line of insurance, ninety (90) dollars; and

3. Appointments (activity) by a specific insurer, fifty (50) dollars.

(d) Business entity license for agent, adjuster, administrator, managing general agent, reinsurance intermediary, rental vehicle agent, ~~[specialty credit producer]~~, life [~~viatical~~] settlement broker, and life[~~viatical~~] settlement provider, per license classification:

1. Business entity directory, ninety (90) dollars;

2. Business entities by line of authority, ninety (90) dollars; and

3. Appointments (activity) of a specific business entity, ten (10) dollars.

(e) Other special requests, printouts, or electronic or digital media not specified in this section, if the request is approved by the commissioner ~~[executive director]~~, the commissioner ~~[executive director]~~ shall establish the cost for the request in accordance with KRS 61.874(4)(c).

~~(26)~~~~(25)~~ Provider agreement filing, twenty-five (25) dollars.

~~(27)~~~~(26)~~ Subcontract agreement filing, twenty-five (25) dollars.

~~(28)~~~~(27)~~ Risk-sharing arrangement filing, fifty (50) dollars.

~~(29)~~~~(28)~~ Miscellaneous services.

(a) Filing other documents, each, five (5) dollars per document.

(b) Commissioner's ~~[Executive Director's]~~ certificate under seal, other than certificates, licenses, and other documents provided for in this section, each, five (5) dollars.

(c) For copies of any document on file with the commissioner ~~[executive director]~~, per page, thirty (30) cents.

(d) Copy of annual statements, per page, one (1) dollar.

Section 2. The biennial appointment renewal fees for agents, including managing general agent, rental vehicle agent, and rental vehicle managing employee, ~~[specialty credit producer, and specialty credit managing employee]~~, shall be payable as follows:

(1) Life insurers and health insurers, including health maintenance organizations, limited health service organizations, and KRS Chapter 304 Subtitle 32 corporations, shall renew their appointments on or before March 31 in odd numbered years and biennially thereafter; fraternal benefit societies shall renew their appointments on or before March 31, 2005, and biennially thereafter.

(2) All other insurers shall renew their appointments on or before March 31 in even numbered years and biennially thereafter.

(3) Original license and appointment fees shall be the amount stated and not prorated.

(4) Fee for duplicate request of appointment or renewal of appointment may be **found as/deemed** earned **if/when** the appointment or renewal is confirmed.

Section 3. If a statute or administrative regulation requires payment of a fee as provided in KRS 304.4-010, it refers to a fee as **established/specified** in this administrative regulation.

CONTACT PERSON: Abigail Gall, Executive Assistant, 500 Mero Street, Frankfort, Kentucky 40601, phone (502) 564-6026, fax (502) 564-1453, email abigail.gall@ky.gov.